

# **TOWN OF LOOMIS**

## **ADMINISTRATIVE POLICIES AND PROCEDURES**

### **CELLULAR AND WIRELESS DEVICES POLICY**

Effective Date: 8/11/2015

Resolution 15-16

#### **PURPOSE**

This policy outlines the use of personal cellular/wireless devices at work, the personal use of business cellular/wireless devices, and the safe use of cellular/wireless devices by employees while driving.

#### **POLICY**

It is Town policy that use of personal cellular phone devices shall be limited during the work day and Town cellular/wireless devices shall be utilized for business purposes only and in a safe manner.

#### **PROCEDURES**

##### **A. Personal Cellular/Wireless Devices**

Excessive use of cellular/wireless devices during the work day, regardless of the phone or device used, can interfere with employee productivity and be distracting to others. During paid work time, employees are expected to exercise the same discretion in using personal cellular/wireless devices as is expected for the use of any Town telephone or computer. Cellular phones may not be used at any worksite where the operation of the phone is or may be a distraction to the public or other employees.

1. Telephone Calls/Text Messaging: Employees are expected to make personal calls on non-work time when possible and to ensure that friends and family members are aware of the Town's policy. Flexibility will be provided in circumstances demanding immediate personal phone use.

2. Prohibited Activities: Any activity that violates Town policy, including, but not limited to accessing and/or distributing pornographic or harassing material.

##### **B. Town – Provided Cellular/Wireless Devices**

1. Cellular Phones: Where job or business needs demand immediate access to an employee, the Town may issue a Town-owned and serviced cell phone to an employee for work-related communications.

a) Personal Use: Occasional brief personal use is allowable, however, users should always use a landline telephone when available.

b) Text Messaging: Will be limited to business communication, as needed.

2. Reimbursement for Personal Use: If an employee's personal use of the Town's cellular phone results in a charge to the Town, the user will be responsible for reimbursing the Town. This includes charges for text messaging, long distance and/or roaming charges, overage charges, multimedia charges, and charges for directory assistance.

3. Cellular/Wireless Devices: In order to improve efficiency, the Town may issue tablet PCs, laptops, or similar devices to employees for business related purposes only.

a) Personal Use: Occasional brief personal use is allowable, so long as that use does not violate any Town policies, including the Town's Network, Internet, and Email policy.

b) Out of Town Use: Employees needing to use their Town issued wireless device while out of Town on business should check with their supervisor.

### **C. No Expectation of Privacy**

Employees who are issued Town cellular phones and/or wireless devices understand that there is no expectation of privacy when using Town provided cellular phones and/or wireless devices. The Town has the right to review all records related to cellular and/or wireless devices including but not limited to phone logs, text messages, and internet usage logs. Users should further be aware that all records are subject to discovery under the Public Records Act.

### **D. Town Cellular Phones and/or Wireless Devices**

Town issued cellular phones and/or wireless devices shall remain the sole property of the Town. Employees in possession of Town equipment such as cellular phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

### **E. Safety Issues for Use of Cellular Devices**

Employees whose job responsibilities include regular or occasional driving are encouraged to refrain from using a cellular device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to a reasonably safe location and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are required to use hands-free options and are expected to keep the call short, refrain from discussion of complicated or emotional issues, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above.

Text messaging, reading emails, writing emails, or accessing the internet while driving is not allowable under any circumstance.

Employees who are charged with traffic violations resulting from the use of a cellular phone while driving on duty may be subject to disciplinary action and personal liability resulting from such traffic violations and are responsible for paying the cost of the citation.

Violations of this policy will be subject to discipline, up to and including dismissal.

**F. Special Responsibilities for Managerial Staff**

As with any policy, management staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.